

REMARKS

This application has been carefully reviewed in light of the Office Action dated January 29, 2004. Claims 1 to 16, 21, 23, 27 and 31 to 43 are pending, with Claims 1, 21, 23, 27, 31, 32, 35 to 39 and 41 being the independent claims. Reconsideration and further examination are respectfully requested.

Applicants note with appreciation that Claims 1 to 7, 11, 15, 16, 37 and 38 have been allowed. The amendments made to Claims 4, 5 and 15 are not believed to affect their allowability. Accordingly, Claims 1 to 7, 11, 15, 16, 37 and 38 are believed to remain in condition for allowance.

Claims 33 and 34 were objected to as being dependent upon a rejected base claim. However, these claims depend from allowed Claim 1. Accordingly, Claims 33 and 34 are believed to be in condition for allowance.

Applicants gratefully acknowledge the indication that Claims 21, 23, 27, 31, 32, 35 and 36 contain allowable subject matter. These claims have been rewritten in independent form. A further change has been made to Claim 31, but this change is not believed to affect the allowability of Claim 31. Accordingly, Claims 21, 23, 27, 31, 32, 35 and 36 are believed to be in condition for allowance.

Claims 17 to 20 and 22, which were rejected under 35 U.S.C. § 102(e) over U.S. Publication No. 2001/0023965 (Ikeda), have been cancelled without prejudice to or disclaimer of the subject matter presented therein.

Claims 24 to 26, 28 to 30 and 44, which were withdrawn from consideration pursuant to an election of species requirement, have been cancelled without prejudice to

Applicant's right to present these claims in a later-filed division.

Applicant submits that allowed Claim 1 reads on the species to which Claims 8 to 10, 12 to 14 and 43 are drawn, and as such, is a generic claim. Accordingly, rejoinder of non-elected species Claims 8 to 10, 12 to 14 and 43, each of which is dependent upon Claim 1, is respectfully requested. See MPEP § 806.04(d).

With respect to non-elected method Claims 39 to 42, Applicant submits that he is entitled to rejoinder of these claims pursuant to MPEP § 821.04, since Claims 39 and 41 have been amended to contain all of the features of allowed Claim 1. As set forth at MPEP § 821.04:

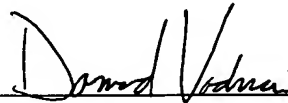
However, if applicant elects claims to the product and a product claim is subsequently found allowable, withdrawn process claims which depend from or otherwise include all the limitations of the allowable product claim will be rejoined.

Applicants note that it is not necessary that the withdrawn method claims depend from an allowable product claim, so long as they contain all the limitations of an allowable product claim. Accordingly, rejoinder of non-elected method Claims 39 to 42 is respectfully requested.

No other matters being raised, the entire application is believed to be in condition for allowance, and such action is courteously solicited.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Damond E. Vadnais", written over a horizontal line.

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